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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,115	03/02/2004	Bruce A. Colombo	Colombo 5-4-30-1-2	2649
7590 09/23/2005				
Michael A. Morra, Esq. Suite 2H02 2000 Northeast Expressway Norcross, GA 30071			EXAMINER NASRI, JAVAID H	
			ART UNIT	PAPER NUMBER
			2839	

DATE MAILED: 09/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

**Office Action Summary**

Application No.

10/791,115

Applicant(s)

COLOMBO ET AL.

Examiner

Javaid Nasri

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Objections*

1. Claims 15 and 16 are objected to because of the following informalities:
  - a) In claim 15, line 6, claim 16, lines 1 and 4, change "substrate" to -- structure --.

Note: similar change was done by applicant in response received on 7/20/2005 on line 4 of the claim 15. But applicant missed the similar change on line 6 of claim 15 and lines 1 and 4 of claim 16.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Pimpinella (5,694,511).

Pimpinella discloses, **for claim 1**, a distribution frame (12), the distribution frame including a system controller, at least one shelf (14), a shelf controller (15, see note below) corresponding to the at least one shelf, wherein the shelf controller is operably coupled to the system controller, and at least one interconnection panel (22) within the at least one shelf, the interconnection panel

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including a plurality of termination ports for cross-connecting signal channels, and an intelligent fiber distribution operations administration and maintenance apparatus (50, see figure 3, 32, 35, see figure 1) coupled to the distribution frame externally to the at least one shelf (see figures 3 and 1), and operably coupled between the interconnection panels and the shelf controller for operating the distribution frame and monitoring and indicating cross-connections between the interconnection panels, **for claim 10**, an intelligent fiber distribution operations administration and maintenance apparatus (50, 32, 35) for operably coupling to a distribution frame (12), wherein the distribution frame has a system controller, at least one distribution shelf (14), the distribution shelf having a shelf controller (15) and a plurality of interconnection panels (22), wherein the shelf controller is coupled to the system controller, and wherein the interconnection panels include a first plurality of termination ports (see figure 3) for connecting to a first signal channel and a second plurality of termination ports for cross-connecting to a second signal channel from a different interconnection panel, the intelligent fiber distribution operations administration and maintenance apparatus (50, 32, 35) comprising: a plurality of signal buttons (not shown) corresponding to the plurality of interconnection panels, wherein the signal buttons are attached to the distribution frame and operably connected to the interconnection panels (see figure 1 and 3), a plurality of indicators (not shown) corresponding to the plurality of signal buttons, and an interface operably connecting the plurality of signal buttons to the shelf controller (15), wherein the signal buttons energize their corresponding indicator and, based on information from the shelf controller, the indicators identify termination ports that are connected, to be connected or that need maintenance, wherein the intelligent fiber distribution operations administration and maintenance apparatus is configured to be operably coupled to the

distribution frame external to the at least one distribution shelf (see figures 1 and 3), **for claims 2 and 11**, the distribution frame has a shelf cover (52), and wherein the intelligent fiber distribution operations administration and maintenance apparatus is attached to the shelf cover (52), **for claims 3 and 12**, the intelligent fiber distribution operations administration and maintenance apparatus is configured as a shelf cover for the distribution frame (see figure 3), **for claim 4**, the distribution frame includes at least one controller (see col. 5, lines 58-60) that monitors permissible connections and cross- connections of the at least one interconnection panel, and wherein the intelligent fiber distribution operations administration and maintenance apparatus (50) includes an interface operably connected to the at least one controller, **for claim 5**, the intelligent fiber distribution operations administration and maintenance apparatus includes an input interface for the interconnection panel termination ports, **for claim 6**, the intelligent fiber distribution operations administration and maintenance apparatus (32, 35, 50 not shown, see figures 1 and 3) includes signal buttons and indicators corresponding to the interconnection panel termination pods, **for claims 7 and 17**, the indicator further comprises an LED indicator (32, 35, 50 not shown, see figures 1 and 3), **for claim 8**, the intelligent fiber distribution operations administration and maintenance apparatus is configured to be operably connected to at least one input device selected from the group consisting of a keypad, a keyed display, a keyless display, an LCD display screen, and a touch screen (not shown, also conventional as stated by applicant in response on 7/20/2005), **for claim 9**, a plurality of interconnection panels and wherein the intelligent fiber distribution operations administration and maintenance apparatus further comprises an array of user inputs that correspond to the interconnection panel termination ports, **for claim 13**, a user input apparatus operably connected to the interface, **for**

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**claim 14**, the intelligent fiber distribution operations administration and maintenance apparatus is arranged as an array of user inputs that correspond to the interconnection panel termination ports, **for claim 15**, the distribution frame includes a cover (52) for protecting the distribution shelf, wherein the intelligent fiber distribution operations administration and maintenance apparatus further comprises a planar structure connected to the cover, and wherein the plurality of signal buttons and the plurality of indicators are coupled to the planar structure (not shown), **for claim 16**, the planar structure has a first surface for coupling to the cover and an opposing second surface, and wherein the plurality of signal buttons and the plurality of indicators are coupled to the second surface of the planar structure (not shown, but this is a standard method).

4. Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Pimpinella (5,960,130).

Pimpinella discloses, **for claim 1**, a distribution frame (12), the distribution frame including a system controller, at least one shelf (14), a shelf controller (15, see note below) corresponding to the at least one shelf, wherein the shelf controller is operably coupled to the system controller (80), and at least one interconnection panel (22) within the at least one shelf, the interconnection panel including a plurality of termination ports for cross-connecting signal channels, and an intelligent fiber distribution operations administration and maintenance apparatus (50, see figure 3) coupled to the distribution frame externally to the at least one shelf (see figure 3), and operably coupled between the interconnection panels and the shelf controller for operating the distribution frame and monitoring and indicating cross-connections between the interconnection panels, **for claim 10**, an intelligent fiber distribution operations administration and maintenance apparatus (50) for operably coupling to a distribution frame (12), wherein the distribution frame

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has a system controller (80), at least one distribution shelf (14), the distribution shelf having a shelf controller (15) and a plurality of interconnection panels (22), wherein the shelf controller is coupled to the system controller, and wherein the interconnection panels include a first plurality of termination ports (see figure 3) for connecting to a first signal channel and a second plurality of termination ports for cross-connecting to a second signal channel from a different interconnection panel, the intelligent fiber distribution operations administration and maintenance apparatus (50) comprising: a plurality of signal buttons (see figure 4) corresponding to the plurality of interconnection panels, wherein the signal buttons are attached to the distribution frame and operably connected to the interconnection panels (see figure 4), a plurality of indicators (see figure 4) corresponding to the plurality of signal buttons, and an interface operably connecting the plurality of signal buttons to the shelf controller (15), wherein the signal buttons energize their corresponding indicator and, based on information from the shelf controller, the indicators identify termination ports that are connected, to be connected or that need maintenance, wherein the intelligent fiber distribution operations administration and maintenance apparatus is configured to be operably coupled to the distribution frame external to the at least one distribution shelf (see figures 3 and 4), **for claims 2 and 11**, the distribution frame has a shelf cover (52), and wherein the intelligent fiber distribution operations administration and maintenance apparatus is attached to the shelf cover (52), **for claims 3 and 12**, the intelligent fiber distribution operations administration and maintenance apparatus is configured as a shelf cover for the distribution frame (see figure 3), **for claim 4**, the distribution frame includes at least one controller (see figure 5) that monitors permissible connections and cross-connections of the at least one interconnection panel, and wherein the intelligent fiber

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distribution operations administration and maintenance apparatus (50) includes an interface operably connected to the at least one controller (see figure 5, **for claim 5**, the intelligent fiber distribution operations administration and maintenance apparatus includes an input interface for the interconnection panel termination ports, **for claim 6**, the intelligent fiber distribution operations administration and maintenance apparatus (see figure 4) includes signal buttons and indicators corresponding to the interconnection panel termination pods, **for claims 7 and 17**, the indicator further comprises an LED indicator (see figure 4), **for claim 8**, the intelligent fiber distribution operations administration and maintenance apparatus is configured to be operably connected to at least one input device selected from the group consisting of a keypad, a keyed display, a keyless display, an LCD display screen, and a touch screen (not shown, also conventional as stated by applicant in response on 7/20/2005), **for claim 9**, a plurality of interconnection panels and wherein the intelligent fiber distribution operations administration and maintenance apparatus further comprises an array of user inputs that correspond to the interconnection panel termination ports, **for claim 13**, a user input apparatus operably connected to the interface, **for claim 14**, the intelligent fiber distribution operations administration and maintenance apparatus is arranged as an array of user inputs that correspond to the interconnection panel termination ports, **for claim 15**, the distribution frame includes a cover (52) for protecting the distribution shelf, wherein the intelligent fiber distribution operations administration and maintenance apparatus further comprises a planar structure (see figure 4) connected to the cover, and wherein the plurality of signal buttons and the plurality of indicators are coupled to the planar structure (see figure 4), **for claim 16**, the planar structure has a first surface for coupling to the cover and an opposing second surface, and wherein the plurality of



signal buttons and the plurality of indicators are coupled to the second surface of the planar structure (see figure 4).

Note: USPTO interprets claims, giving claims their “broadest reasonable interpretation.”  
(see, e.g., *In re Morris*, 127 F.3d 1048, 1054-55 (Fed. Cir. 1997)).

### ***Response to Arguments***

5. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

The new references cited disclose the amended claims limitations as explained above.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

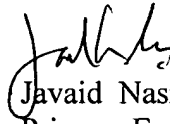
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**Contact**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javaid Nasri whose telephone number is 571 272 2095. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tulsidas C. Patel can be reached on 571 272 2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Javaid Nasri  
Primary Examiner  
Art Unit 2839

JN  
Jhn  
September 21, 2005